

Committee Name and Date of Committee Meeting

Delegated Officer Decision – 09 October 2023

Report Title

Surrender of lease - Substation in Riverside Gardens Public Realm

Is this a Key Decision and has it been included on the Forward Plan?

No

Strategic Director Approving Submission of the Report

Paul Woodcock, Strategic Director of Regeneration and Environment

Report Author(s)

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Ward(s) Affected

Boston Castle

Report Summary

As part of the Riverside Gardens Public Realm scheme, it is necessary to remove the substation currently located within its boundary to enable levels to be created to provide an accessible route through the gardens. Northern Power decommissioned the substation in July 2023 and the surrender of the lease of land is being negotiated to enable its demolition.

Recommendations

1. Approval to surrender lease on Riverside Gardens substation.

List of Appendices Included

N/A

Background Papers

N/A

Consideration by any other Council Committee, Scrutiny or Advisory Panel

N/A

Council Approval Required

No

Exempt from the Press and Public
No

Surrender of lease - Substation in Riverside Gardens Public Realm Error! Reference source not found.

1. Background

- 1.1 On 21 June 2021 the following recommendations were approved as part of Town Centre Masterplan Implementation Update report.

That Cabinet:

Approves the implementation work of Town Centre public realm improvements on Effingham Street and Howard Street (Phase 2) and Upper Millgate and Forge Island Riverside Gardens (Phase 3) utilising secured grant funding as part of the Councils Future High Streets Fund bid.

- 1.2 The Council have progressed designs and gained planning approval for the scheme and wish to proceed with the removal of the substation located on site as part of the enabling works.
- 1.3 This report seeks the approval of the Assistant Director, Planning, Regeneration & Transport Regeneration & Environment, in consultation with the S151 Officer and the Cabinet Member for Jobs and Local Economy to agree to Northern Powers surrender of the lease of the land the building is located on.

2. Key Issues

- 2.1 Northern Power decommissioned the substation in July 2023 and RMBC Legal Services are in the process of negotiating the surrender of the lease of the land the building is located on to enable its demolition.

3. Options considered and recommended proposal

- 3.1 It is necessary to remove the substation currently located within the schemes boundary to enable the levels to be created to provide an accessible route through the gardens, a key aim of the project. Agreeing to the surrender of the lease to enable its demolition is the preferred delivery approach.
- 3.2 The alternative option is not to agree to the surrender of the lease with the substation remaining, resulting in the Riverside Gardens design approved by planning not being deliverable.
- 3.3 It is recommended that:
1. Agreement to surrender the lease is approved.

4. Consultation on proposal

- 4.1 The Riverside Gardens scheme has had significant stakeholder engagement and public consultation throughout the design process, and during the planning application process, designs that included the substations removal.

5. Timetable and Accountability for Implementing this Decision

5.1	Date	Responsibility
Decision to surrender the lease	9 October 2023	Assistant Director, Planning, Regeneration & Transport Regeneration & Environment

6. Financial and Procurement Advice and Implications

6.1 The financial implications of these enabling works are within the approved capital project budget available for the scheme, Riverside Gardens funded by Future High Streets Fund and Levelling Up funding. The legal work required to carry out the acquisition of the lease will be carried out by the Council's legal service and funded from the Riverside Gardens scheme. The cost of which is expected to be less than £1k. As such there are no significant procurement implications arising from this report.

7. Legal Advice and Implications

7.1 Legal Services have been in negotiations with Northern Power and have advised that an Officer Decision should be put in place to support the surrender of the lease before finalising the formalities with Northern Power.

8. Human Resources Advice and Implications

9. Implications for Children and Young People and Vulnerable Adults

9.1 There are no known implications.

10. Equalities and Human Rights Advice and Implications

10.1 Forms A (equality screening) and B (equality assessment) have been completed for the main scheme, Riverside Gardens. No further equalities and human rights implications identified for this decision.

11. Implications for CO2 Emissions and Climate Change

11.1 Carbon Impact Assessment was completed for the main scheme, Riverside Gardens. No further emissions and climate change implications identified for this decision.

12. Implications for Partners

12.1. There are no direct impacts from this decision on the delivery of services by partners. The substation was decommissioned in July 2023.

13. Risks and Mitigation

13.1 Negotiations have already been undertaken with Northern Power and agreement reached, requires Council approval to proceed.

14. Accountable Officers

Tim O'Connell, Head of RiDO

Approvals obtained on behalf of Statutory Officers: -

	Named Officer	Date
Chief Executive	Sharon Kemp	Click here to enter a date.
Strategic Director of Finance & Customer Services (S.151 Officer)	Judith Badger	19/09/23
Head of Legal Services (Monitoring Officer)	Phil Horsfield	19/09/23

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